IN RE: PETITION FOR ADMIN. VARIANCE

N/S Burdock Road, 450' W centerline of Verbena Road 3rd Election District 2nd Councilmanic District

(2109 Burdock Road)

Joan L. & Daniel W. Cagan Petitioners

* BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-361-A

* * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Joan L. & Daniel W. Cagan, the legal owners of the subject property. The variance request is for property located at 2109 Burdock Road in the western area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Secs. 205.2, 205.3, 1963 regulations), for a 0 ft. side yard setback in lieu of the required 15 ft. and a 20 ft. front yard setback in lieu of the required 40 ft. for a proposed garage. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this April, 2002, that a variance from Section 1B02.3.B of the B.C.Z.R. (Secs. 205.2, 205.3, 1963 regulations), for a 0 ft. side yard setback in lieu of the required 15 ft. and a 20 ft. front yard setback in lieu of the required 40 ft. for a proposed garage, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

April 9, 2002

Mr. & Mrs. Daniel W. Cagan 2109 Burdock Road Baltimore, Maryland 21209

> Re: Petition for Administrative Variance Case No. 02-361-A Property: 2109 Burdock Road

Dear Mr. & Mrs. Cagan:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

buthy llotroco

TMK:raj Enclosure

c: Richard E. Matz, P.E. Colbert, Matz, Rosenfelt, Inc. 2835 Smith Avenue, #G Baltimore, MD 21209





Petition for Administrative Variance

	to the Zoning	Commissioner of	f Baltimore County
	for the proper	ty located at 2109 Bu	rdock Road
	•	which is presently	zoned DR - 2
made a part hereof, here 1963 regulations	iled with the Department of Pern situate in Baltimore County and wh seby petition for a Variance from Sec s) for a 0 ft. side se setback in lieu of 40	ion is described in the description(s) 1802.3.B., BCZI tback in lieu of 19	tion and plat attached hereto and R (205.2, 205.3,
Property is to be posted a l, or we, agree to pay exper	of Baltimore County, to the zoning and advertised as prescribed by the uses of above Variance, advertising, po of Baltimore County adopted pursuant	e zoning regulations.	and are to be becaused by the section
Contract Purchaser/L		!/We do solemnly declare a	and affirm, under the penalties of
		Daniel W. Cagar	ı
Name - Type or Print		Name, Type of Pring	
Signature		Signature	
Address	Тејернопе No.	Joan L. Cagan Name - Type or Print	110
City	State Zip Code	Signature	Luga
Attorney For Petitione	<u>er:</u>	2109 Burdock Ro Address Baltimore,	7 Telephone No. MD 21209
Name - Type or Print		City	State Zip Code
Signature		Representative to be Richard E. Matz Colbert Matz Ro	, P.E.
Company		Name	
Address	Telephone No.	2835 Smith Ave.	#G 410-653-3838 Telephone No.
	respione No.	Baltimore,	MD 21209
City	State Zip Code	City	State Zip Code
regulations of Baltimore County	and that the property be reposted.	Zoning Commissione	r of Baltimore County
CASE NO. 02-3	<u>⊌I−H </u>	iewed By D.THOMPSON	Date

Estimated Posting Date

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

Baltimore

Address

City

That the Affiant(s) does/do presently reside at

REV 09/15/98

2109 Burdock Road

MD

State

21209

Zip Code

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That Varia	based ince at	upon person the above ad	al knowled dress (ind	dge, the follow licate hardship	ing are	the facts upor			uest for an Ado	
of	the	existing	house	dictates	the	necessary				
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		•								
That	tha A	ffiant(e) ackn	owledge	that if a for	mal de	mand is filed,	Affiant(s) will	he required	l to pay a rer	osting and
adve	rtising	fee and may	be require	d to provide a	ditiona	al information.	(0)	20 10400		
		Mark			-			£ 4		
Signa	ture	<u>u</u>	/			Signat	une	6		
	Dan	iel W. Ca	gan			l.	Joan L. C	agan	v	
Name	- Type	or Print	•			Name	- Type or Print			
STA	TE OF	MARYLAND	, COUNT	Y OF BALTIM	ORE, to	o wit				
I HE	REBY aryland	CERTIFY, thi	s 554	day of <u>Febra</u> aforesaid, pers	tuan sonally	ry_ appeared	_ <i>2002</i> _b	efore me, a	Notary Public	of the State
	Dan	iel W. Ca	gan an	d Joan L.	Cag	an				
the A	Affiant(hat the	s) herein, per matters and	sonally kr facts here	nown or satisfa inabove set fo	ctorily rth are	identified to m true and correc	e as such Affi of to the best of	ant(s), and f his/her/the	made oath in ir knowledge a	due form of and belief.
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Date	!	107	18/-			Notary Public		,		

My Commission Expires

Colbert Matz Rosenfelt, Inc.

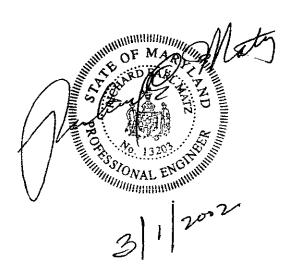
Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION 2109 BURDOCK ROAD

Beginning at a point on the north side Burdock road which is 50 feet wide, at the distance of 450.67 feet west of the centerline of Verbena Road which is 50 feet wide.

Being Lot 18, Block F, Section 4 in the subdivision of Green Gate, as recorded in Baltimore County Plat Book No. 37, folio 27, containing 16,544 square feet (0.38 acre). Also known as 2109 Burdock Road and located in the 3rd Election District, 2nd Councilmanic District.



BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 11113	PALL RECEIPT PAYMENT ACTUAL TIME 3/04/2002 3/04/2002 11:16:14
DATE 3 4 00 ACCOUNT AMOUNT \$	R0010066150	S/04/2002 3/06/2002 11:16:14 REL MEDIG CASHIER KNOW KNN DRIMER 4 >HELEIPT II 070279 Deat 5 528 ZONING VERIFICATION CR NO. 011113
RECEIVED DICK MATZ		Recept Tot 50.00 50.00 CA Raltimore County, Maryland
2109 BURDOCK RD.	DY D THOMPSON	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUS	TOMER	CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ADM.

RE Case No 02-36/- A

Petitioner/Developer CAGAN, ETAL

MATZ

Date of Hearing/Closing 4/1/02

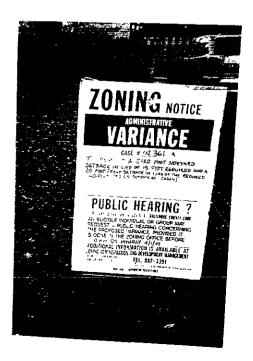
Baltimore County Department of Permits and Development Management County Office Building, Room 111, 111 West Chesapeake Avenue Towson, MD 21204

Attention. 30.11. ZONING L. GEORGE ZAHWER

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 2109 - BURDOCK PD,

The sign(s) were posted on ___



PATRICK M. O'KEEFE (Printed Name)

523 PENNY LANE

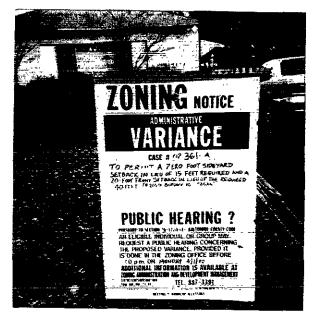
(Address)

HUNT VALLEY, MD. 21036 (City, State, Zip Code)

410-666:5366 ; CELL-410-905-8571

(Telephone Number)

CERTIFICATE OF POSTING



= 2109 BURDOCK

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366; CELL-410-905-857

(Telephone Number)

DEPARTMENT F PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing

Zoning Review will ensure that the legal requirements for advertising are satisfied However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

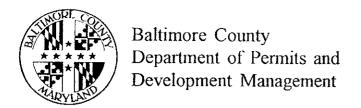
For Newspaper Advertising:
Item Number or Case Number 02-361A
Petitioner DANIEL W. CAGAN & JOAN L CAGAN.
Address or Location 2109 BURDOCK ROAP
PLEASE FORWARD ADVERTISING BILL TO
Name DAN CAGAN
Address 2109 BURDOCK ROAD
BATIMORE, MD 21209.
Telephone Number 4(0-484-4446.

ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 361 -A Address 2109 BURDOCK RD., 21209					
Contact Person: DONNA THOMPSON Phone Number: 410-887-3391					
Filing Date: 3 402 Posting Date: 3 17 02 Closing Date: 41 02					
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.					
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.					
2. DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.					
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.					
POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.					
(Detach Along Dotted Line)					
Petitioner: This Part of the Form is for the Sign Poster Only					
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT					
Case Number 02- 361 -A Address 2109 BURDOCK RD. 21209					
Petitioner's Name <u>CAGAN</u> Telephone <u>410-484-4446</u>					
Posting Date: 3/17/02 Closing Date: 4/1/02					
Vording for Sign: To Permit A O FOOT STATEMENT SIDE SETBACK IN LIEU OF					
15 FEET REQUIRED AND A 20 FOOT FRONT SETBACK IN LIEU OF THE					
40 FEET REQUIRED.					

WCR - Revised 6/28/00



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

April 1, 2002

Mr. & Mrs Daniel W Cagan 2109 Burdock Road Baltimore MD 21209

Dear Mr. & Mrs. Cagan:

RE: Case Number: 02-361-A, 2109 Burdock Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 04, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. らりて

" Tark Richard , Ir.

Supervisor, Zoning Review

WCR: gdz

Enclosures

 c: Colbert Matz Rosenfelt Inc, Richard E Matz PE, 2835 Smith Ave, Ste G, Baltimore 21209
 People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 17, 2002

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for March 25, 2002 Item Nos. 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373,

375, 376 and 377

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:CEN:cab

cc: File



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

March 18, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 18, 2002

Item No.: 360-266, 368, 370-377

Dear Ms. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley 735 | ToT

DATE:

April 16, 2002

Zoning Advisory Committee Meeting of March 18, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

360, 361, 362, 365, 366, 367, 369, 370, 371, 372, 373,375, 377

Waiting on AG Comments for #364, 368

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley 285 161

DATE:

April 25, 2002

Zoning Advisory Committee Meeting of March 18, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

360, \$61, 362, 365, 366, 367, 369, 370, 371, 372, 373, 375, 377

No AG Comments for #364, 368

AV, 411

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MAR 2 2 . .

DATE: March 22, 2002

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-361 & 02-369

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/LL:MAC



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 3.19.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 36/ D.T.

Dear. Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

1. J. Holl

February 25, 2002

Honorable Zoning Commissioner Baltimore County 111 West Chesapeake Avenue Towson, Maryland 21204

Dear Sir:

We live at 2111 Burdock Road and we have seen the plans that Mr. Dan Cagan and his wife are proposing for their new garage.

Because of the way our house is situated and the distance between our houses, we have no objection to the garage as proposed on the zoning plan.

Sincerely,

Ira Robinson

Anna Robinson

February 25, 2002

Honorable Zoning Commissioner Baltimore County 111 West Chesapeake Avenue Towson, Maryland 21204

Dear Sir:

We live at 2107 Burdock Road and we have seen the plans that Mr. Dan Cagan and his wife are proposing for their new garage.

Because of the way our house is situated and the distance between our houses, we have no objection to the garage as proposed on the zoning plan.

Sincerely,

Ivor Berkowitz

Iil/Rerkowitz



PREPARED BY CMR. 3102 SCALE OF DRAWING: 1" = 40	NORTH N55° 72.66	PROPERTY ADDRESS 2109 80/8 DOCK EXP SEE PROES \$ 8 6 OF THE CHECKLIST FOR ADDITIONAL SUBDIVISION MANE GREEN GATE PLAT BOOK #27 FOLD # 22 SECTION # 4- OWNER DANIEL W. 4 JOAN L. CAGAN CANED 247 CAN	PLAT TO ACCOMPANY PETITION FOR ZONING XVARIANCE
DT. 361	ZONING OFFICE USE ONLY CASE #	SUMMITTONAL REQUIRED INFORMATION RD VICINITY MAP VICINITY MAP VICINITY MAP SCALE: 1"= 1000' LOCATION INFORMATION PUBLIC PRIVATE PUBLIC PRIVATE SOUNCIL MANIC DISTRICT 2 COUNCIL MANIC DISTRICT 3 COUNCIL MANIC DISTRICT 2 COUNCIL MANIC DISTRICT 3 COUNCIL MANIC DISTRICT 2 COUNCIL MANIC DISTRICT 2 COUNCIL MANIC DISTRICT 2 COUNCIL MANIC DISTRICT 2 COUNCIL MANIC DISTRICT	SPECIAL
61 02-261-A	CE USE ONLY	NAL REQUIRED INFORMATION THE PROPERTY OF THE BURDOC THE POPULATION OF THE BURDOC VICINITY MAP SCALE: 1" = 1000' VICINITY M	L HEARING

PAGE 1 of 2

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



March 11, 2002

Re: 2109 Burdock Road

Administrative Variance Application

To Whom It May Concern:

I hereby certify that the proposed garage for the above-referenced property, as shown on the zoning plat dated 3/1/02, will be built to the following dimensions:

Width: 20 feet, 4 inches

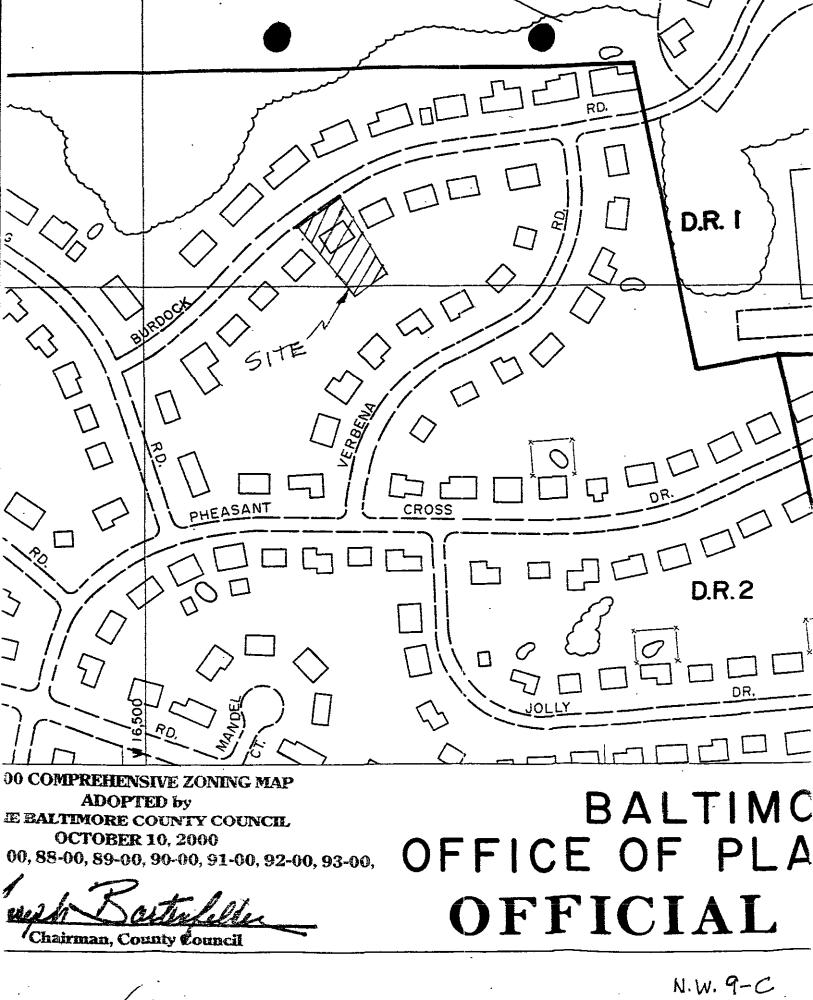
Depth: 24 feet

Robert S. Røsenfelt, P.E.

Vice-President

COLBERT MATZ ROSENFELT, INC.





N.W.9-C 1'' = 200'

PHOTOS

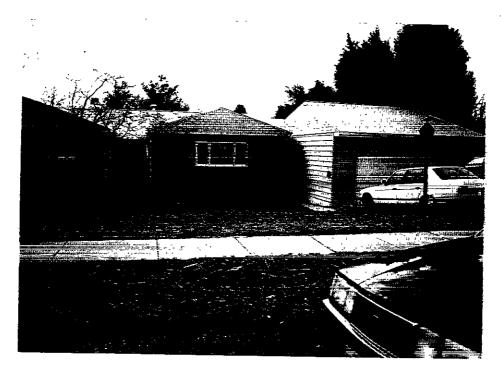
Baltimore County
Department of Permits and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

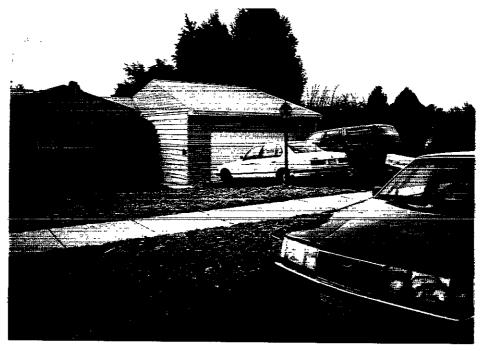
Return Service Requested

Printed with Saybean Ink

Photographs
7107 Pheasant Cross Drive
Garage approvedui
Case No. 99-162-A.

(Similar request in Same neighborhood)





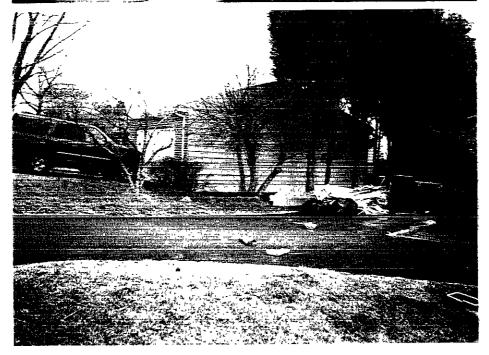












Photographs 2109 Burdock Rd. & Adjoiners



